

<p style="text-align: right;">Page 1</p> <p>King UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ----- GEORGE VANGELAKOS, IAN KING, JOSEPH KORONAKIS, AND BARRY WAYNE, Individually and on Behalf of All Others Similarly Situated,</p> <p>Plaintiffs, against Case No. 13 CV 6574</p> <p>WELLS FARGO BANK, N.A., WELLS FARGO & COMPANY, WFC HOLDINGS CORPORATION, WACHOVIA CORPORATION, AND WACHOVIA BANK, N.A.</p> <p>Defendants. ----- IAN RICHARD KING New York, New York Tuesday, April 23, 2014</p> <p>Reported by: Steven Neil Cohen, RPR Job No. 111194</p>	<p style="text-align: right;">Page 3</p> <p>1 King 2 APPEARANCES 3 4 SEYFARTH SHAW LLP 5 700 Milam Street 6 Suite 1400 7 Houston, Texas 77002-2797 8 Attorneys for Defendants 9 BY: TIMOTHY M. WATSON, ESQ. 10 KENDRA K. PAUL, ESQ. 11 12 WILLS LAW FIRM 13 1776 Yorktown 14 Suite 600 15 Houston, Texas 77056 16 Attorneys for Plaintiffs 17 BY: RHONDA H. WILLS, ESQ. 18 19 PADILLA & RODRIGUEZ, LLP 20 1776 Yorktown 21 Suite 110 22 Houston, Texas 77056 23 Attorneys for Plaintiffs 24 By: JOHN M. PADILLA, ESQ. 25 ALSO PRESENT: Andrew Ritchie, Videographer Andrew Ritchie, Videographer</p>
<p style="text-align: right;">Page 2</p> <p>1 King 2 April 23, 2014 3 10:24 a.m. 4 5 Videotaped Deposition of IAN 6 RICHARD KING, taken by Defendants, pursuant 7 to notice, at the offices of Seyfarth Shaw 8 LLP, 620 Eighth Avenue, New York, New York, 9 before Steven Neil Cohen, a Registered 10 Professional Reporter and Notary Public of 11 the State of New York.</p> <p>12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 King 2 3 IT IS HEREBY STIPULATED AND 4 AGREED, by and between counsel for the 5 respective parties hereto, that the sealing 6 and filing of the within deposition be 7 waived; that such deposition may be signed 8 and sworn to before any officer authorized 9 to administer an oath; that all objections, 10 except as to form are reserved to the time 11 of trial. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <div style="text-align: right; border: 1px solid black; padding: 5px; margin-top: 20px;"> EXHIBIT 1 </div>

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<p>1 King 2 BY MR. WATSON: 3 Q. Were you at your desk when you 4 were sending the e-mails? 5 A. Yes. 6 Q. Is there any way you could have 7 sent the e-mails while not being at your 8 desk? 9 A. No. The only -- that was the only 10 tool at our desk to send e-mails. 11 Q. Were you eating at your desk when 12 you sent the e-mail? 13 A. I mean, I don't know for sure but 14 it seems like it. 15 Q. Okay. 16 MR. WATSON: Exhibit 19. 17 (Notice of Consent was marked King 18 Exhibit 19 for identification) 19 MR. WATSON: Exhibit 20. 20 (Notice of Consent was marked King 21 Exhibit 20 for identification) 22 MR. WATSON: I just have one 23 copy of this. 24 I take it back. 25</p>	<p>1 King 2 was ever a part of or class action was a 3 Slim Fast class action that I received a 4 letter in the mail for. 5 Q. Did you get some big money? 6 A. Six bucks. 7 MR. WATSON: Can we take a 8 break? 9 MS. WILLS: How much time do you 10 want to take a break? 11 MR. WATSON: We are going to be 12 comfortably through. 13 THE VIDEOGRAPHER: The time now 14 is 2:32 p.m. 15 This marks the end of tape 16 number 3. 17 Going off the record. 18 (Recess) 19 MS. WILLS: Let the record 20 reflect that in this cause plaintiffs 21 have requested of defendant's counsel 22 that the following witnesses be 23 produced, Veronica Ross, Janice Osdoby 24 and Michele Lee. 25 Tim Watson, lead counsel for</p>
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<p>1 King 2 BY MR. WATSON: 3 Q. Exhibits 19 and 20 are notice of 4 consents that have been filed with the court 5 in this case and in a prior case that are 6 signed by you; is that right? Is that your 7 signature on both documents? 8 A. Yes. 9 Q. Do you recall signing these 10 documents? 11 A. Yes. 12 Q. Do you know, have you signed any 13 other consents or joined any other lawsuits? 14 MS. WILLS: Objection. Vague 15 and ambiguous. And it is compound. 16 The term "consents" is vague and 17 ambiguous. 18 BY MR. WATSON: 19 Q. Do you understand the question? 20 A. Related to the case that we are 21 speaking of today or related to any other 22 case? 23 Q. Anything. The case today or any 24 other case. 25 A. Yes. The only other civil suit I</p>	<p>1 King 2 defendants, has indicated to me that 3 defendants will produce Veronica Ross 4 as a witness in this matter if he is 5 able to reach her. 6 MR. WATSON: Yes. We would 7 certainly like to. She is a 8 management employee and we will 9 attempt to and I -- if she is in town 10 I am sure we will be able to but she 11 is no longer an employee just with 12 that caveat. 13 We will try to reach her as soon 14 as possible and make her available. 15 MS. WILLS: And to the extent 16 that defendants do not make her 17 available defendants' counsel 18 understand that plaintiff's counsel 19 will subpoena Ms. Ross for her 20 deposition. 21 We have agreed that Ms. Ross' 22 deposition may be taken after the 23 May 1 discovery cutoff by agreement of 24 the parties and we will try to 25 schedule it at a mutually convenient</p>

<p>1 King 2 time for the witness and the parties. 3 Plaintiffs also have requested 4 to depose both today and prior to 5 today the deposition of Janice Osdoby 6 and Michele Lee and, Mr. Watson, what 7 is your response to that request? 8 MR. WATSON: We believe that 9 those depositions are not appropriate 10 and will oppose them based on the for 11 lack of a better term the Apex 12 doctrine. 13 MS. WILLS: As we have indicated 14 to Mr. Watson we intend to seek the 15 court's ruling on whether or not 16 plaintiffs' counsel will be allowed to 17 depose those two witnesses and we 18 understand that given the May 1 19 discovery cutoff that to the extent 20 the court allows those depositions to 21 go forward they may also take place 22 after May 1 by agreement of counsel. 23 MR. WATSON: True. We also -- 24 you also have agreed to make available 25 the two other plaintiffs who have not</p>	<p>1 King 2 Number 21. 3 Do you see that? 4 A. Yes. 5 Q. Page 1 shows a message from Ian 6 King at a Yahoo account. Is that your 7 personal e-mail account? 8 A. Yes. 9 Q. It is sending something to your 10 Wachovia account, is that right? 11 A. No. It looks like it is coming 12 from my Wachovia account and it is going to 13 my personal account. 14 Q. Okay. Earlier I believe you 15 testified that you did not send work e-mails 16 to your home account or vice versa. 17 Is that what this appears to be? 18 A. This looks like a personal airline 19 ticket that I purchased through the 20 Wachovia, to get discounts through, I don't 21 know what it is called but it looks like I 22 sent it from my work e-mail to my personal 23 e-mail but I bought it through our work 24 system so there was no other way to send it. 25 Q. Okay. So did you ever use your</p>
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